

REMARKS

Claims 1, 3, 4, 8 and 10 are pending in the application and stand rejected.

Claim Rejections - 35 U.S.C. § 101

Claim 10 stands rejected under 35 U.S.C. § 101 alleging the claimed invention is directed to non-statutory subject matter.

Applicants submit the present amendment to claim 10 obviates this rejection.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 1, 3, 4 and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Suzuki et al. (US 6,606,163).

Claim 1 recites, *inter alia*,

a generation module that extracts said multiple pieces of page attribute information for each page from said print job and generates inclusive page attribute information by merging the extracted multiple pieces of page attribute into said inclusive page attribute information, which contains said page attribute information for all pages of the print job; and

a communication module that, before transmitting the print job to a printer, transmits only the inclusive page attribute information to the printer to cause the printer to determine whether or not the printer is capable of executing the print job.

First, Applicants submit Suzuki fails to disclose “a communication module that, before transmitting the print job to a printer, transmits only the inclusive page attribute information to

the printer to cause the printer to determine whether or not the printer is capable of executing the print job."

The Examiner asserts that Suzuki teaches transmitting only the inclusive attribute information to the printer in col. 42, lines 62-65. However, Suzuki does not teach or suggest transmitting only the inclusive page attribute information to the printer that contains the page attribute information for all pages of the print job.

Moreover, Suzuki does not teach or suggest the generation module of the present invention that extracts the page attribute information from the print job, and generates inclusive page attribute information by merging the extracted multi pieces of page attribute into said inclusive page attribute information, which contains the page attribute information for all pages of the print job.

Specifically, Fig. 30A of Suzuki shows the job data structure, and Fig. 30B shows that the attributes of the job are joined together. However, the attributes shown in Fig. 30B are "document attributes" but they are not page attribution information that is disposed at the header portion of each page of the print job. Accordingly, as discussed above, Suzuki does not teach or suggest the generation module and the communication module as recited in claim 1.

While Suzuki simply sends the "document attributes" to the "job execution section", the present invention, as recited in the claims, extracts multi pieces of page attribute, which are disposed at the header portion of each page, and merges the extracted multi pieces of page attribute into the inclusive page attribute information which contains the page attribute information for all pages of the print job. Accordingly, the present invention as recited in the

claims has an unpredictable effect that the printer can judge which one of the pages of the print job is unprintable in that printer.

Thus, Applicants submit claim 1 is patentably distinguishable for at least these reason.

Additionally, because claim 8 recites similar features as discussed above with regard to claim 1, Applicants submit claim 8 is patentably distinguishable for the same reasons as set forth above.

Additionally, claims 3 and 4 are patentably distinguishable, at least by virtue of their dependency.

Claim Rejections - 35 U.S.C. § 103(a)

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki view of Utsunomiya (US 7,034,954).

Applicants respectfully submit that because Utsunomiya, either taken alone or in combination with Suzuki, fails to compensate for the above noted deficiencies of Suzuki as applied to claim 10 above, claim 10 is patentably distinguishable over the applied combination for the same reasons set forth above. Additional untaught modifications would be required.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



David P. Emery
Registration No. 55,154

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: October 3, 2008